

AO 91 (Rev. 08/09) Criminal Complaint

WJ

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America)	
v.)	Case: 2:10-mj-30281
ROBERT JOHN MUELLER)	Judge: Unassigned,
)	Filed: 07-07-2010 At 11:05 AM
)	ROBERT JOHN MUELLER (LCB)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 10/01/2008 through 07/06/2010 in the county of Macomb in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 United States Code, Sections 2251(a), 2252A(a)(2) and 2252A(a) (5)(B)	Manufacturing, distribution, receipt and/or possession of child pornography.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet.



Renaldo Franklin
Complainant's signature

Renaldo Franklin, Senior Special Agent, DHS/ICE
Printed name and title

Sworn to before me and signed in my presence.

Date: 07/07/2010



Mona K. Majzoub
Judge's signature

City and state: Detroit, Michigan

Mona K. Majzoub, United States Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

STATE OF MICHIGAN : :

: ss. AFFIDAVIT

COUNTY OF WAYNE : :

I, Renaldo Franklin, being duly sworn, depose and state:

1. I am a Special Agent with the Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), in Detroit, Michigan. I have been employed as a Special Agent since December 2, 2002, when I began my career as a Special Agent with United States Immigration and Naturalization Service, Office of Investigations, Detroit, Michigan. For approximately five and a half years I have worked investigations that involve the illegal possession and distribution of child pornography which occur in the Eastern District of Michigan. As of the date of this affidavit I have been the case agent on over forty child sexual exploitation investigations including the receipt, distribution, manufacturing and possession of child pornography images. I have interviewed multiple subjects who possessed, distributed, manufactured and received child pornography images. I am responsible for enforcing federal criminal statutes along with other agents involving the sexual exploitation of children pursuant to Title 18 United States Code, Sections 2251, 2252(a) and 2252A.

2. This criminal complaint is made in support of an application for a warrant to arrest Robert J. MUELLER (date of birth: XX/XX/1963), for evidence of violations of Title 18, United States Code, Sections 2251(a), 2252A(a)(2) and 2252A(a)(5)(B) which pertain to the illegal manufacturing, receipt, distribution and possession of child

pornography.

3. Because this criminal complaint is being submitted for the limited purpose of securing an arrest warrant I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that MUELLER has violated 18 U.S.C. §§ 2251(a), 2252A(a)(2) and 2252A(a)(5)(B).

4. As a result of the investigation described more fully below, there is probable cause to believe that MUELLER has violated Title 18 U.S.C. 2251(a), 2252A(a)(2) and 2252A(a)(5)(B).

5. U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), Office of the Special Agent in Charge, Detroit, MI (SAC Detroit) received information from the Resident Agent in Charge, Milwaukee, WI (RAC Milwaukee), that an individual in Wisconsin [DOE], was receiving and distributing images of child pornography via Google Hello, Bitwise (two peer-to-peer-file-sharing programs) and a Russian based bulletin board/chat room.

6. RAC Milwaukee Special Agents conducted an investigation into DOE and on or about 07/10/09, executed search warrants at DOE's residence and DOE's father's business. The search warrants found DOE in possession of images child pornography.

7. DOE cooperated with RAC Milwaukee Special Agents and during a proffer interview in the Fall of 2009 DOE indicated that he traded images of child pornography with MUELLER who resides in Sterling Heights, Michigan. DOE indicated that MUELLER offered DOE the opportunity to drive to Michigan and engage in sexual intercourse with one of MUELLER's minor daughters.

8. During the interview with law enforcement, DOE also indicated that MUELLER sent him child sexually explicit images of his minor daughters. DOE retained these images which were later found in DOE's possession by RAC Milwaukee Special Agents and other state/local law enforcement.

9. RAC Milwaukee forwarded this information to SAC Detroit. SAC Detroit Special Agents conducted an investigation into MUELLER.

10. On 07/06/10, SAC Detroit Senior Special Agent Renaldo Franklin (SSA Franklin), received a DVD from RAC Milwaukee containing images seized from one of DOE'S hard disk drives. A review identified a number of electronic storage files which contained titles corresponding to the names of MV-1, MV-2, MV-3 and MV-4. Some of the folders also contained subfolders organized by the name and age of each of MUELLER'S daughters and the dates on which the photos in each folder were produced. The images in each folder correspond to the names, ages and images of the minor female daughters of MUELLER as confirmed by current school yearbooks.

11. SSA Franklin observed a total of approximately one hundred (100) sexually explicit images and images of child erotica sent by MUELLER to DOE, the subject of which were his minor daughters MV-1, MV-3 and MV-4. The majority of the images depicted MV-3 and MV-4. The images include an adult male, later identified as MUELLER engaged in sexual touching and sexual intercourse with MV-4. MV-4 was under age 12 at the time MUELLER took the photos.

12. On Tuesday 07/06/10, at approximately 6:50 P.M., ICE SAC Detroit Special Agents executed a federal search warrant at MUELLER'S residence located at XXXXX Villanova Drive, Sterling Heights, Michigan. MUELLER is a U.S. Citizen who is

currently employed a maintenance sub contractor. The federal search warrant was for the evidence of the violations of 18 U.S.C. § 2251(a), 2252A(a)(2) and 2252A(a)(5)(B), which makes it a crime to manufacture, distribute and possess child pornography. Officers from the Sterling Heights Police Department assisted in the execution of the search warrant.

13. MUELLER agreed to be interviewed by SAC Detroit Special Agents. During the consensual interview MUELLER admitted to receiving, distributing and possessing child pornography images via the internet. MUELLER also told agents that he used prescription sleep medication to drug MV-4 before videotaping, and photographing himself sexually touching MV-4, having sexual intercourse with MV-4. MUELLER admitted to taking sexually explicit pictures of MV-1 and MV-3. MUELLER told law enforcement that he distributing the aforementioned child sexual exploitation images over the internet to persons outside of the state of Michigan for a period of no less than two years.

15. MUELLER also admitted to receiving and distributing sexually explicit images to DOE and to offering MV-4 to DOE for sexual intercourse.

16. MUELLER'S residence, where his external hard disk drive was located, is in the Eastern District of Michigan. The manufacturing, distribution, receipt and possession of child pornography and the sexual touching and intercourse with MV-4 occurred at MUELLER'S residence in the Eastern District of Michigan.

17. Based upon the foregoing, there is probable cause to believe MUELLER has knowingly manufactured, received, distributed, and possessed, or attempted to manufacture, receive, distribute, and possess, child pornography in violation of 18 U.S.C. 2251(a), 2252A(a)(2) and 2252A(a)(5)(B). Accordingly, this Affiant respectfully request that this Court issue an arrest warrant.



Renaldo Franklin,
Senior Special Agent, DHS/ICE

Subscribed and Sworn
Before me this 7th day of July 2010



MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE